REMARKS

Claims 1, 3-5, 8-13, 15, 16, 19 and 20 remain pending. Claims 1, 8 and 15 are amended herein. No new matter has been added as a result of the amendments.

OBJECTION TO THE SPECIFICATION

The specification is objected to as failing to provide proper antecedent basis for the claimed subject matter. Specifically, Claim 15 recites the feature of "a computer readable medium." The Examiner has purported that the specification does not cite the term "computer readable medium" nor does the specification provide explanations regarding what constitutes "a computer readable medium." Applicants respectfully traverse the rejection for the following rational.

MPEP §2106 Section II (C) recites the following:

> Office personnel must always remember to use the perspective of one of ordinary skill in the art. Claims and disclosures are not to be evaluated in a vacuum. If elements of an invention are well known in the art, the applicant does not have to provide a disclosure that describes those elements. In such a case the elements will be construed as encompassing any and every art-recognized hardware or combination of hardware and software technique for implementing the defined requisite functionalities.
>
> Office personnel are to give claims their broadest reasonable interpretation in light of the supporting disclosure. *In re Morris*, 127 F.3d 1048, 1054-55, 44 USPQ2d 1023, 1027-28 (Fed. Cir. 1997).

Emphasis added. Since elements of a computer usable medium are well known in the art, Applicant does not have to provide a disclosure that describes these elements. Additionally, in light of Applicants' supporting disclosure, on page 7, a block diagram of computer system 500 is described. In particular, computer system 500 includes at least a volatile (e.g., random access) memory 503 and a

non-volatile (e.g., read only) memory 504 which are at least two examples of "computer readable medium," as claimed.

A reasonable interpretation would lend itself to interpreting "a read only memory" and "random access memory" as being "computer readable medium", as claimed in Claim 15.

Therefore, Applicants respectfully assert that Claim 15 complies with the written description requirement and respectfully request that the rejection be removed.

CLAIM REJECTIONS - 35 U.S.C. § 103(a)

The instant Office Action states that Claims 1, 3-5, 15-16 and 19-20 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Garcia et al (6,151,689) in view of Weber et al. (6,212,610). Applicants have reviewed the above-cited references and respectfully submit that the embodiments as recited in Claims 1, 3-5, 15-16 and 19-20 are patentable over Garcia in view of Weber for at least the following rationale.

Claim 1 recites (emphasis added):

> creating a single data packet, including user data that is to be written in a write operation to said target storage device and key data that is used to establish authorization to store said user data, said key data being generated based upon a destination address of said write operation and based on a portion of said user data;

In the "Response to Amendments and Remarks portion of the current Office Action, the Examiner agrees that Garcia fails to teach the claimed feature "said key data being generated based on a destination address of the write operation."

Furthermore, Applicants have amended Independent Claims 1, 8 and 15 to include the feature "said key data being generated based upon a destination address of said write operation and based on a portion of said user data."

Support for this feature can be found at least on page 6, paragraph [0026] which states "perform a Boolean operation on a selected number of user bits 403."

Applicants submit that neither Garcia nor Weber, alone or in combination teach or suggest this claimed feature. Specifically, embodiments of the present invention enable simultaneous transmission of user data and key data which decreases the time period for which the target device is vulnerable to an erroneous data transmission.

However, with Weber, the key data is not based on the user data, as claimed. Weber provides details for how to generate key data. However, Weber is silent as to generating the key data based on the user, as claimed. As opposed to generating the key based on a portion of the user data, Weber relies on passing the key to the initiator from the node that access is being attempted. This is very different from generating the key data based on the user data as claimed.

For at least the foregoing rationale, Applicants respectfully submit that Claim 1, and similarly Claims 8 and 15 as amended, are patentable over Garcia in view of Weber under 35 U.S.C. § 103(a). As such, allowance of Claims 1, 3-5, 15-16 and 19-20 is respectfully requested.

Claims 8-13, 15-16, and 19-20 are rejected under 35 U.S.C. 103(a), as being unpatentable over Garcia et al (6,151,689) in view of Adler et al. (4,255,811). Applicants have reviewed the above-cited references and respectfully submit that the embodiments as recited in Claims 8-13, 15-16, and 19-20 are patentable over Garcia in view of Adler for at least the following rationale.

As stated above, Applicants submit that Garcia fails to teach or suggest the feature "said key data being generated based upon a destination address of said write operation and based on a portion of said user data." Applicants further submit that Adler fails to remedy the deficiencies of Garcia.

Specifically, Adler fails to teach or suggest generating key data based on user data, as claimed. Adler is cited as teaching generating key data based on a system clock setting.

With the present claimed invention, key data is used to "establish authorization to store said user data." Applicants would like to point out that the "key" of Adler is very different from the "key data" of the present claimed invention.

Adler may purport to teach an encryption key for encoding or decoding. However, Adler fails to teach or suggest key data to "establish authorization to

store said user data," as claimed.

Furthermore, Adler fails to teach or suggest the key is generated based on a portion of user data, as claimed. Adler actually teaches away from this claimed feature by stating in column 6, lines 7-11 "the second is the key generation clock K which controls the operation of the key generation shift registers .....which sequentially generate the key material for each of the rounds." With Adler, the encryption key is based on the values generated by the shift registers and not based on a portion of user data, as claimed.

For at least the foregoing rationale, Applicants respectfully submit that Claim 8, and similarly Claim 15 as amended, are patentable over Garcia in view of Adler under 35 U.S.C. § 103(a). As such, allowance of Claims 8-13, 15-16, and 19-20 is respectfully requested.

CONCLUSION

In light of the above listed remarks, reconsideration of the rejected claims is requested. Based on the amendments and arguments presented above, it is respectfully submitted that Claims 1, 3-5, 8-13, 15, 16, 19 and 20overcome the rejections of record, and that Claims 1, 3-5, 8-13, 15, 16, 19 and 20 are in a condition for allowance. Therefore, allowance of Claims 1, 3-5, 8-13, 15, 16, 19 and 20 is respectfully solicited.

Should the Examiner have a question regarding the instant amendment and response, the Applicants invite the Examiner to contact the Applicants' undersigned representative at the below listed telephone number.

Respectfully submitted,
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